

MONDAY, FEBRUARY 2, 1987

SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend Joe Geary, Pastor, First United Methodist Church, Bells, Tennessee.

Representative Tankersley led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 93

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

The Speaker announced that Representative Kisber was excused because of being delegate, American Council Young Political Leaders.

The Speaker announced that Representative Napier was excused because of National Association of Conservation.

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The Speaker announced that Representative Tanner was excused because of personal business.

The Speaker announced that Representative Wheeler was excused because of meeting in Washington, D.C.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 6; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 6; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 18 and 19; both for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 18 and 19.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 6 with his approval.

DAVID H. WELLES,
Counsel to the Governor.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 38--To revise Charter, Collierville; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

OATH OF OFFICE

Mr. Speaker Murray announced that the Oath of Office had been administered to Representative Barton Hawkins of the Fourth Representative District today at 4:00 p.m. by Supreme Court Justice Frank F. Drowota, III.

ANNOUNCEMENT

The Clerk announced that pursuant to T.C.A., Section 16-3-402, the Proposed Amendments to Tennessee Rules of Appellate Procedure and the Proposed Amendments to Tennessee Rules of Civil Procedure have been received and filed with the Clerk's Office.

RULES SUSPENDED

Mr. Moore (Shelby) moved that the rules be suspended for the purpose of considering House Bill No. 28, which motion prevailed.

House Bill No. 28--City of Collierville Charter.

On motion, House Bill No. 28 was made to conform with Senate Bill No. 38.

On motion, Senate Bill No. 38, on same subject, was substituted for House Bill No. 28.

Mr. Moore (Shelby) moved that Senate Bill No. 38 be passed on third and final consideration.

Mr. Jones, R. (Shelby) objected and action on Senate Bill No. 38 was placed on Unfinished Business for Wednesday, February 4, 1987.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 91

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett,

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Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--91.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 15--Relative to Sheila Germany of Stantonville--By Wolfe.

Under the rules, House Joint Resolution No. 15 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 16--Relative to Dr. Mike Simmons--By Good.

Under the rules, House Joint Resolution No. 16 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 17--Relative to Guy R. Mauldin--By Good.

Under the rules, House Joint Resolution No. 17 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 18--Relative to Carol Gardner Transom--By Good.

Under the rules, House Joint Resolution No. 18 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 19--Relative to Department of Correction--By Love.

The Speaker referred House Joint Resolution No. 19 to the Committee on State and Local Government.

House Joint Resolution No. 20--Relative to Department of Correction--By Love.

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The Speaker referred House Joint Resolution No. 20 to the Committee on State and Local Government.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 24--Relative to Spring Hill High School.

Under the rules, Senate Joint Resolution No. 24 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 28--Relative to Clean Water Act.

The Speaker referred Senate Joint Resolution No. 28 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 31--Relative to Representative Harper Brewer.

Under the rules, Senate Joint Resolution No. 31 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 73--Government Public Obligations Act of 1986--By Byrd.

Passed first consideration.

House Bill No. 74--Tort Reform Law of 1987--By Copeland.

Passed first consideration.

House Bill No. 75--Government Reform Act of 1987--By Copeland.

Passed first consideration.

House Bill No. 76--Tax Reform Law of 1987--By Copeland.

Passed first consideration.

House Bill No. 77--Criminal Justice System--By Copeland.

Passed first consideration.

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House Bill No. 78--Bonds--By Copeland.

Passed first consideration.

House Bill No. 79--Appropriations: State Government--By Copeland.

Passed first consideration.

House Bill No. 80--Education Reform Act of 1987--By Copeland.

Passed first consideration.

House Bill No. 81--Transportation Act of 1987--By Copeland.

Passed first consideration.

House Bill No. 82--Separate Correctional Facilities--By Love, Naifeh, Wix, Bell, West, Jared, Pruitt, Yelton, Kernell and Davidson.

Passed first consideration.

House Bill No. 83--Employment Restrictions of Charged Sex Offenders--By Love, Bell, West, Jared, Pruitt, Yelton and Davidson.

Passed first consideration.

House Bill No. 84--Convicts to Renovate Buildings--By Love, West, Jared, Pruitt, Kernell and Davidson.

Passed first consideration.

House Bill No. 85--Checking Child Abuse Registry--By Love, Naifeh, Wix, Bell, West, Jared, Pruitt, Yelton and Davidson.

Passed first consideration.

House Bill No. 86--Inmates to Renovate Substandard Housing--By Love, West, Jared, Pruitt, Yelton and Davidson.

Passed first consideration.

House Bill No. 87--Housing Juvenile Offenders--By Love, West, Jared, Pruitt and Davidson.

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Passed first consideration.

House Bill No. 88--Housing Juvenile Offenders--By Love, West, Jared, Pruitt and Davidson.

Passed first consideration.

House Bill No. 89--Sex Offenders: Public Schools--By Love, Wix, Bell, West, Jared, Pruitt, Yelton and Davidson.

Passed first consideration.

House Bill No. 90--Sex Offenders: Psychiatric Treatment--By Love, Wix, Bell, West, Jared, Pruitt, Yelton and Davidson.

Passed first consideration.

House Bill No. 91--Registration of vehicles--By Robinson (Davidson), Rhinehart and Davidson.

Passed first consideration.

House Bill No. 92--Vehicles hauling materials--By Robinson (Davidson), Rhinehart and Davidson.

Passed first consideration.

House Bill No. 93--Maximum weight allowable for certain vehicles--By Robinson (Davidson), Rhinehart and Davidson.

Passed first consideration.

The Speaker announced that the following House Joint Resolutions that were previously held pending appointment of appropriate committees will be referred to the following Committees:

House Joint Resolution No. 1 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 2 was referred to the Committee on Transportation.

House Joint Resolution No. 5 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. No. 7 was referred to the Committee on Calendar and Rules.

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House Joint Resolution No. 8 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 9 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 10 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 11 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 12 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 13 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 14 was referred to the Committee on Agriculture.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 63--Handicapped persons.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 64--Restaurants--consumed wine.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 65--Business of printing.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 66--Alcohol-related offenses.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 67--Child Sexual Abuse.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 68--City of Savannah.

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Passed second consideration and held without reference.

House Bill No. 69--City of Savannah.

Passed second consideration and held without reference.

House Bill No. 70--Business of Printing.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 71--City of Manchester: Mayor.

Passed second consideration and held without reference.

House Bill No. 72--Mayor and Aldermen of Tracy City.

Passed second consideration and held without reference.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 22 out of order, which motion prevailed.

House Joint Resolution No. 22--Relative to honoring Tasha Tudor--By Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Mr. Kernell moved that the rules be suspended for the purpose of recalling Senate Joint Resolution No. 28 from the Committee on Conservation and Environment which motion failed by the following vote:

Ayes	58
Noes	26

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett,

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Bushing, Byrd, Cain, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Drew, Ellis, Garrett, Head, Herron, Hillis, Hobbs, Holt, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Long, Love, May, Miller, Moore (Lawrence), Naifeh, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Shirley, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Whitson, Williams, Winningham, Wix, Yelton and Mr. Speaker Murray--58.

Representative voting no were: Bewley, Chiles, Coffey, Davis (Cocke), Davis (Knox), Frensley, Good, Harrill, Hassell, Hawkins, Holcomb, Hurley, Huskey, McAfee, Montgomery, Moody, Nance, Peroulas, Robinson (Washington), Scruggs, Severance, Swann, Tankersley, Webb, Wolfe and Wood--26.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 22; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

- 1--Relative to memory, Mr. Jonah Leroy Fitch;
- 2--Relative to commemorating Franklin County's Homecoming '86 Committee;
- 3--Relative to commemorating Homecoming '86, McMinnville/Warren County;
- 4--Relative to honoring Tullahoma Coca-Cola Bottling Works;
- 5--Relative to honoring Elk Yarn Mills, Inc.;
- 6--Relative to memory, former Senator Halbert Harvill;
- 7--Relative to honoring Spring Hill High School Football Team;
- 9--Relative to honoring McGavock High School Baseball team;
- 10--Relative to commending Spaulding Milling Company, Manchester;

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- 11--Relative to honoring Cla-Bar Industries, Tullahoma;
- 12--Relative to commending Don J. Darden, Coffee County;
- 13--Relative to commending Beaver Press, Inc.;
- 14--Relative to commending Judge H. T. "Zeke" Pelham;
- 20--Relative to commending Tullahoma '86 Homecoming celebration;
- 21--Relative to honoring former Senator Lowell Thomas;
- 23--Relative to honoring Miss John Bostick;
- 25--Relative to congratulating Franklin High School girls' Soccer Team;
- 26--Relative to commemorating Moore County's Homecoming '86 festivities;
- 30--Relative to 100th anniversary, David Ben-Gurion's birth; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m., Wednesday, February 4, 1987.